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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,358	12/24/2001	Brijesh Agarwal	1497210.00122US2	8071
28089	7590	01/02/2008		
WILMERHALE/NEW YORK 399 PARK AVENUE NEW YORK, NY 10022			EXAMINER POINVIL, FRANTZY	
			ART UNIT	PAPER NUMBER
			3692	
			NOTIFICATION DATE	DELIVERY MODE
			01/02/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/026,358

Applicant(s)

AGARWAL ET AL.

Examiner

Frantzy Poinvil

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/2/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence (US Patent No. 5,915,209) in view of Kim-E (US Patent No. 7,165,045)

As per claims 1, 22 and 23, Lawrence discloses a system, apparatus, computer program product and method for trading bond over a network. The system and method comprise

providing respective computer-generated interfaces for a plurality of dealers and a plurality of investors (figures 4-9);

wherein a network enables messages to be exchanged between the dealer interfaces and the investor interfaces (figure 1);

enabling the dealers to communicate announcements of new debt security issues to the investors via the investor interfaces so that each investor can access new debt security issues from multiple dealers via his or her respective investor interface and enabling the investors to submit respective indications of interest in purchasing the new debt security issues to selected ones of the dealers via the selected dealers'

respective interfaces (column 14, lines 6-45); and
enabling the dealers to allocate the debt security issues to the investors in accordance
with their respective indications of interest (column 14, lines 6-45).

Applicant's representative has amended the independent claims to recite a
respective investor interface "that displays the plurality of announcements
simultaneously for viewing by each of the plurality of investors ", and enabling the
dealers "to receive the plurality of indications of interest from the plurality of investors
and to allocate and to set at least one price for each of the respective debt security
issues" and argued that Lawrence fails to teach or suggest these features.

In response, the Examiner asserts that before purchasing an item whether debt
securities or not, an announcement for viewing the debt securities must be made. In an
analogous art, Kim-E discloses a network based trading system and method for
allowing customers to trade with remote dealers. In so doing, Kim-E provides and
displays announcements for simultaneously viewing on respective investors' user
interfaces. See figure 16 of Kim-E. An interested investor desiring to make a
transaction would certainly provide indication of interests as such is the case when a
purchaser desires to make a purchase from a vendor or dealer. It would have been
obvious to one of ordinary skill in the art at the time the invention was made to modify
Lawrence by introducing the teachings of Kim-E therein in order to allow investors to
see the availability of interested debt securities so as to facilitate viewing and selection
by the investors.

As per claim 2, Lawrence discloses the investor interfaces allow the investors to designate whether their indications of interest are subject to automatic verification. See column 16, lines 1-10.

As per claim 3, Lawrence discloses the investor interfaces allow the investors to designate whether their indications of interest are subject to reconfirmation (column 16, lines 1-10 and column 12, lines 33-42 of Lawrence and column 8, lines 32-50 and columns 13-14 of Kim-E).

As per claim 4, Lawrence discloses the investor interfaces allow the investors to selectively view information regarding the new debt security issues in summary and detailed formats (See figure 9 of Lawrence).

As per claims 5-11, Lawrence teaches the investor interfaces allow the investors to communicate details of their respective indications of interest to the selected dealers via the selected dealers' interfaces. The details include an order size, including one of all or none, minimum fill, and no minimum, a spread, a level type, including at least one of market and limit and pot, an allocation type, including at least one of retention; the details include a payment method, including at least one of cash, swap with benchmark, and swap with other treasury; the details include a payment type, including at least one of risk weighted, proceeds, and par for par; the details include a settlement type, including at least one of a simultaneous settlement and a specified delayed settlement. See column 10, lines 51-67, column 15, lines 60-67 and column 12, lines 42-59 of Lawrence and columns 13-14 and 20 of Kim-E.

As per claims 12-21, Lawrence further teaches providing an audit trail for tracking activities at the dealer interfaces and the investor interfaces. See column 16, lines 33-43 of Lawrence. The system and method also comprise preparing records of trade executions for the new debt security issues; and exporting the records to at least one of a back office/accounting function, an archive, and a custodian. See column 16 of Lawrence.

Claim 24 recites limitations contained in claims 1-21, and therefore claims 24 is rejected under a similar rationale applied to claims 1-21.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Frantzy Poinvil
Primary Examiner
Art Unit 3692